

EI-18727



DEPARTMENT OF THE ARMY

VICKSBURG DISTRICT, CORPS OF ENGINEERS
4155 CLAY STREET
VICKSBURG, MISSISSIPPI 39183-3435

REPLY TO
ATTENTION OF

August 30, 2011

Operations Division

SUBJECT: Proposed Abandonment of 81.3 Miles of Grenada Railway's Railroad in Mississippi

Mr. Michael J. Van Wagenen
Executive Vice President
and General Counsel
Grenada Railway LLC
Post Office Box 26421
Salt Lake City, Utah 84126

Dear Mr. Van Wagenen:

This letter is in response to an inquiry from the Law Offices of Fritz R. Kahn concerning proposed plans for the abandonment of 81.3 miles of railroad in Grenada, Montgomery, Carroll, Holmes, Yazoo, and Madison Counties, Mississippi. The location of the activity is depicted on the enclosed map (enclosure 1).

Based upon the information provided and the information available to this office, it appears that a Department of the Army permit, pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act will not be required for the proposed activities. In the event that project plans are changed, or if you anticipate any additional construction, please contact this office for a reevaluation of permit requirements and refer to identification no. MVK-2011-777 when submitting the information.

This determination of Department of Army regulatory requirements was based upon a preliminary jurisdictional determination that there are no jurisdictional areas being impacted by the proposed work on the property subject to regulation pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or to Section 404 of the Clean Water Act. An appeals form for this preliminary jurisdictional determination has been enclosed for your review (enclosure 2).


This determination of Department of the Army regulatory requirements does not convey any property rights, either in real estate or material or any exclusive privileges, and does not authorize any injury to property or invasion of rights or local laws or regulations, or obviate the requirement to obtain State or local assent required by law for the activity discussed herein.

The Vicksburg District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to complete the Customer Service Survey found on our web site at <http://per2.nwp.usace.army.mil/survey.html>. If it is more convenient for you, please complete and return the enclosed postage-paid postcard (enclosure 3).

If you may be of any further assistance in this matter, please contact Mr. Anne Parker of this office, telephone (601) 631-5292, fax (601) 631-5459, or e-mail address: regulatory@usace.army.mil.

I am providing a copy of this letter to Mr. Fritz R. Kahn, the Office of Fritz R. Kahn, 1210 Main Street, Northwest, 16th Floor, Washington D.C. 20036.

Sincerely,


David Loftis
District Engineer
Vicksburg District
Vicksburg, Mississippi

Enclosures